

## V. AMENDMENTS & REFORM IN THE LATE 20TH CENTURY

Upon taking office in 1953, Republican President Dwight D. Eisenhower called for Congress to review the immigration and nationality law to eliminate its injustices. He reiterated this recommendation throughout his two terms. Limited reform came during a decade of specific legislation designed to remedy defects in the 1952 act. Finally, in 1965, major amendments to the I&N Act abandoned the old national origins system. About the same time, the Bracero Program, which had channeled Mexican workers into Southwest agriculture for over two decades, was terminated. The growing problem of illegal immigration since that time caused Congress to pass the Immigration Reform and Control Act of 1986, an effort to remove the economic incentive for illegal entry.

### AMENDING THE 1952 ACT

The late 1950's saw remedial action taken to admit refugees or specific groups of immigrants when quota backlogs became too large. A 1959 adjustment put more family members into preference categories. The 1961 Mutual Educational and Cultural Exchange Act which categorized the spouses and children of alien students. During the early 1960's, Congress continued to amend the 1952 law with temporary provisions for the admission of certain nonquota immigrants, such as adopted alien orphans or certain aliens with inactive tuberculosis. To end legal abuses, another amendment of 1961 altered deportation reviews. Throughout the 1950's and early 1960's Congress amended also parts of the 1952 law dealing with naturalization and nationality.<sup>31</sup>



*New citizens with their naturalization certificates, 1953.*

Actions to amend the 1952 Act stopped short of the general policy reform promoted by President Eisenhower. Eventually, the need for remedial legislation led Americans to realize that the national origins quota system no longer worked. The Immigration and Nationality Act of 1952 had become increasingly unpopular. In 1962, an amendment to the act tempered national origins with "humanitarian values" by creating a temporary program to allow nonquota status for certain backlogged preference cases.

During the early 1960's the Administration of President John F. Kennedy began a program of broad domestic reform. As part of this plan, President Kennedy in 1963 sent a proposal to Congress to revise and update national immigration policy. He and other reformers opposed the national origins policy because it chose immigrants along racial and ethnic lines. By the early 1960's, many Americans had changed attitudes about racial and other forms of discrimination, and supported the movement for reform.

Finally, in late 1965, the change in national mood induced Congress to adopt the Commission recommendations of a decade earlier and pass the Immigration and Nationality Act Amendments of 1965. Signed by President Lyndon B. Johnson, the amendments thoroughly revised immigration law, the most notable revision since the First Quota Act of 1921. The law also created a Select Commission on Western Hemisphere Immigration to study and report proposals for limiting immigration from the Western Hemisphere, which to date had not been numerically limited.

The 1965 amendments set numerical limits to replace the quota system and gave preference, or priority, to family members of citizens or permanent residents. It also gave preference to immigrants with skills in demand in the United States (see Appendix A). A preference was also established for conditional entrants, which included refugees. The new numerical limits took effect July 1, 1968. For the Eastern Hemisphere the limit became 170,000, with no more than 20,000 immigrant visas to be issued to nationals from any single country. Between December 1, 1965 and July 1, 1968, a special immigrant pool was established to give unused quota numbers to persons from countries with backlogged quotas.

The Select Commission on Western Hemisphere Immigration recom-

mended against setting numerical limits on Western Hemisphere immigration, but Congress did not take action on those recommendations. On July 1, 1968, the first numerical limit on immigration from the Western Hemisphere began and was set at 120,000 annually. Western Hemisphere immigration was strictly on a first-come, first-served basis. Neither country limits or preference categories were used (see Appendix B).<sup>32</sup>

Immigrants applying for skills-related visas first had to obtain certification from the Secretary of Labor that no U.S. workers were able, willing, or qualified to render such services. The Labor Secretary also decided if admitting such workers would be harmful to similar workers in the United States. Previously, immigrants admitted on the basis of their



*A Border Patrolman verifies documents for Mexican migratory workers, called Braceros.*

skills received visas and entered unless the Labor Department certified no need for their services.

These changes, and expanding international air travel, caused INS to change many of its methods. For the task of inspection the Service relied more on preclearance, and introduced border crossing cards for Mexican citizens. Also, after the United States instituted a 1-stop land and 2-stop airport inspection procedure, the INS cooperated more closely with other inspecting agencies, such as the Customs Service, Department of Agriculture, and Public Health Service.

## THE BORDER PATROL

INS enforcement officers began to face a rising number of illegal entries after 1966. Illegal crossing of United States' land borders had been a national problem as early as the 1890's. Since then, officers inspected individuals at border crossing stations at specified ports of entry to see that they could legally enter the country. It was illegal to cross the border anywhere other than a port of entry, but people wanting to avoid the exclusions of contract labor laws or the 1891 act often did so.

Efforts to stop smuggling and illegal entries along the Southern Border date back to 1904. In that year the Commissioner General of Immigration first sent a small group of inspectors to patrol the area on horseback. Ten years later a larger mounted patrol also used automobiles to monitor the boundary. Yet these patrolmen were still Immigrant Inspectors who could not watch the border at all

times. Only a permanent force, it seemed, could prevent illegal entries or find and deport illegal aliens.

After 1917, a higher head tax and literacy requirement caused more people to try illegal entry. Quota laws of the early 1920's magnified this situation. Every year, more Chinese and European emigrants traveled first to Canada or Mexico, then illegally crossed the border by land. Many others went first to Cuba, and smugglers brought them from there into the United States by water.

Thus, in 1924, Congress created the Border Patrol as part of the Immigration Bureau. Its purpose was to patrol the land border and stop smuggling. In 1925 its duty expanded to patrol the seacoast. Since then the Border Patrol has used every means available to fulfill its duty. Along with saddle horses, Patrol Agents by the 1930's used cars, trucks, motor boats, and radios. In the 1940's they added autogiros and airplanes.

Like the Service itself, the Border Patrol grew during World War II. The Patrol's war-related work included guarding diplomats and detention camps. After the war, the problem of illegal entry grew along the Mexican Border. In response, by 1950, a shift of stations and patrol agents to the Southern Border was underway. After the number of illegal aliens apprehended grew to more than 500,000 in 1952, the INS launched "Operation Wetback". This 1954 operation was described at the time as a Service-wide effort to sweep down, through California and Texas, and "drive" illegal aliens out of the country. Afterward, in 1955, an enlarged Border Patrol tried to hold the line at the Southern Border. Despite the Patrol's efforts, several fac-

tors caused the number of illegal entries to grow again in the 1960's. Termination of the Bracero Program in 1964, which for a generation had allowed temporary workers to cross the border legally, was one factor. Another, though less significant, was the first numerical limit put on Western Hemisphere immigration by the 1965 amendments, effective July 1, 1968.

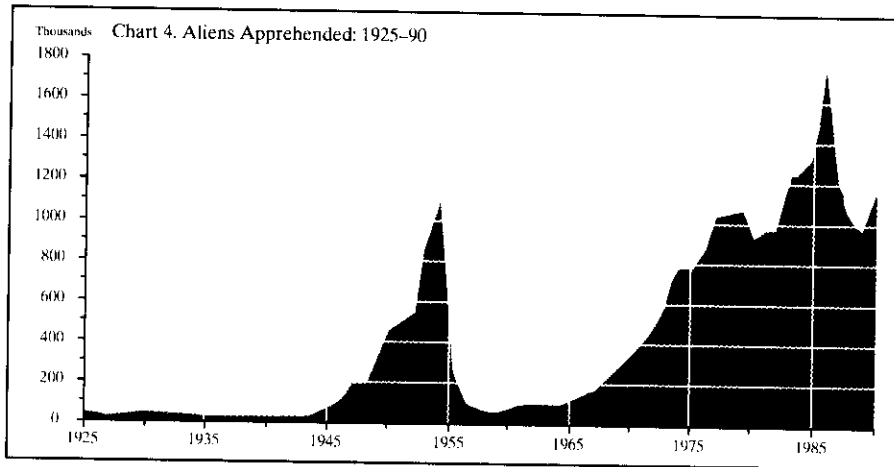
Border problems became even more complex in the 1970's when the business of alien smuggling began to involve drug smuggling as well. By the 1980's, factors south of the border also caused illegal entries to rise. Deteriorating economic conditions and social and political unrest in many Central and South American countries "pushed" migrants toward the United States.

The House of Representatives' Committee on the Judiciary held hearings on illegal immigration in 1971 and 1972. In 1975, President Gerald Ford established a Domestic Council Committee on Illegal Aliens to study and report on the subject. These activities served to increase Congressional, Executive, and public interest in and awareness of illegal immigration.<sup>33</sup>

The INS and its Border Patrol reacted to the border situation in several ways. Again, manpower grew and shifted to problem areas. Since the early 1970's, use of electronic surveillance equipment increased. More recently, legislation has attempted to reduce the economic incentive for migrants to come to the United States.

## REFORM SINCE 1980

By the late 20th century, immigrants no longer came from the same sources



they had in the past. The sources of immigrants shifted again after World War II, when American interests and influence turned to other parts of the world. As in earlier eras of American history, war and economic crises pushed people away from their homes while economic opportunity drew them to the United States.

An earlier shift in the source of immigration occurred near the turn of the century. Throughout most of the 19th century immigrants came from Northern and Western Europe. The first shift came around 1890 when more immigrants came from Southern and Eastern Europe. Until about 1965, then, most immigrants still came from Europe. Only about 5 percent came from Asia.

The 1965 amendments of the I&N Act, which eliminated the national origins system, began another shift. Under the 1965 Amendments more immigrants were able to come from Asia. Also, refugees from Cuba in 1960 marked a change in the source of refugees. Rather than from Europe, refugees increasingly came from Asia, especially Laos, Cambodia, and Vietnam. Later, in the 1980's, refugees

began to come from Central America as well.

As the history of American immigration policy shows, the United States reacted to waves of refugees as they arose rather than through a coherent policy. The Attorney General frequently used his power to parole groups of aliens into the country in response to specific issues or events, or as a way to protect the public interest. Initially, a group of refugees, such as Cuban refugees, were paroled into the country. Later, Congress would pass special legislation allowing individuals of that group to adjust from refugee to immigrant status. The INS administered a special program for Indochinese refugees in the 1970's. In this case, handling so many entries in so little time forced the INS to set up special temporary offices. The need for a better policy to respond to refugee crises later led to passage of the Refugee Act in 1980.<sup>34</sup>

This new law removed conditional entrants (refugees) from the immigrant preference system (see Appendix A, III) and conformed to the United Nations definitions of refugees. It also set a new admission

limit of 50,000 refugees per year, to be revised annually by the President in consultation with Congress. Finally, the 1980 Refugee Act provided a set procedure for the Attorney General to adjust a certain number of asylees to permanent resident status each year.<sup>35</sup>

During the 1970's and through the mid-1980's, *Undocumented aliens* and refugees increasingly dominated the immigration issues before Congress. Most illegal aliens came from countries neighboring the United States. Poor economic conditions in many developing and underdeveloped countries, especially in Mexico and Central America, pushed people away from their native lands. The prospect of employment at United States wages and the lack of means to enter legally induced many of these persons to enter the United States illegally. The economic imbalance between the United States and a migrant's home country is a major reason behind illegal migration. Family reunification and social and political unrest also create illegal alien flows.

Illegal immigration grew steadily each year. By the mid-1980's many Americans felt the United States had lost control of its borders. To many citizens, the social and economic costs of illegal immigration seemed too heavy a burden for the United States' economy to bear.

In 1979 the Select Commission on Immigration and Refugee Policy was established to study immigration issues and report to the President and Congress. Before reporting in March 1981, the Commission and its staff conducted extensive research, including public hearings and site visits, on the impact of immigration on American

society. The Commission recommended treating the issues of legal immigration and illegal immigration separately. In doing so, it formed the basis of debate for the next five years. During the first half of the 1980's, Congressional debate focused on control of illegal immigration. Following years of near-passage of reform legislation, Congress passed the Immigration Reform and Control Act (IRCA) in late 1986. This major law was enacted on November 6, 1986.<sup>36</sup>

The Immigration Reform and Control Act of 1986 banned employing or recruiting workers who were ineligible to work in the United States. It also requires employers to verify the employment eligibility of all workers hired. Violations by employers are punishable by *employer sanctions*, a series of fines which can range as high as \$10,000. The act also contained a provision to prevent discrimination against citizens and legal aliens that might occur in hiring.

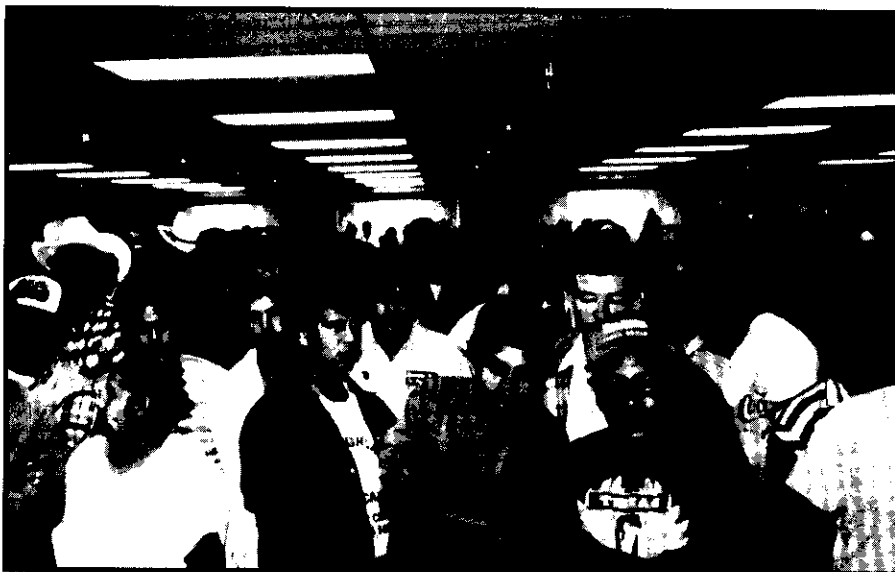
The new law also gave *temporary resident* status to aliens who had lived illegally in the United States since before January 1, 1982. These aliens could later adjust to permanent resident status under a *legalization* program created by IRCA. IRCA also provided the Special Agricultural Worker (SAW) Program, which granted temporary, and later permanent, status to former illegal aliens who worked at least 90 days in seasonal agriculture during the year ending May 1, 1986.

Immigration reform of the 1980's, which produced the Refugee Act of 1980 and IRCA in 1986, continued with the Immigration Act of 1990, enacted November 29, 1990. The 1990 law totally revamped the immigrant

selection system. It provided for increases in the number of available immigrant visas and revised the preference categories governing permanent legal immigration. Under this law, immigrant visas are granted in three separate categories: family-sponsored, employment-based, and "diversity" immigrants (see Appendix A). The last category, diversity, initially provides visas to immigrants from countries that were adversely affected by the Immigration Act Amendments of 1965, and later provides visas to certain aliens from countries with low volumes of immigration. The Immigration Act of 1990 also recodified and restructured the grounds for deportation.

The 1990 act modified various provisions regarding naturalization, and provided for naturalization of certain Filipino veterans of World War II. The new law also established an administrative procedure for naturalization. New citizens may now choose between the traditional court proceeding or the new administrative process.<sup>37</sup>

The Refugee Act of 1980, the Immigration Reform and Control Act of 1986, and the Immigration Act of 1990 overhauled American immigration policy. They addressed our policy toward refugees, control over illegal immigration, criteria for selection of immigrants, and exclusion and deportation of ineligible aliens. Like reforms of the past, they represent the United States' continuing effort to resolve the ongoing questions of immigration.



Applicants for Legalization under the Immigration and Reform and Control Act of 1986.

## References

31. Among the acts and amendments of these years were: Act of Sept. 11, 1957, 71 Stat. 639; Act of Sept. 22, 1959, P.L. 86-363, 73 Stat. 644; Act of July 14, 1960, P.L. 86-648, 74 Stat. 504; and the Act of Sept. 3, 1954, 68 Stat. 1145.  
A major reorganization of the Service and division of authority took effect January 3, 1955. Before that date, the INS operated with one headquarters and about a dozen large districts. The 1955 change created four regional offices, inserting a regional level of supervision between headquarters and districts. Each region, in turn managed by a regional commissioner, supervised a group of districts whose number grew far beyond the dozen or so existing before 1955.
32. Changes to the law in 1976 imposed country limits and preference categories on both the Western as well as the Eastern Hemisphere, beginning in 1978. At the same time Congress established a world-wide system limiting immigration to 250,000 annually.  
Two immigrant categories not subject to numerical limits under by the 1965 Act were "immediate relatives" and "special immigrants," which had been nonquota categories under the 1952 Act. Immigration and Nationality Act Amendments of Oct. 3, 1965, P.L. 89-236, 79 Stat. 911.; Congress increased the number of nonimmigrant classes by the Act of April 7, 1970, P.L. 91-225, 84 Stat. 116. M visa class effective June 1, 1982 under sec. 21(b) (1) of P.L. 97-116, 95 Stat. 1622.
33. U.S. Congress. House. Committee on the Judiciary. *Illegal Aliens, Hearings . . .* 92nd Cong., 1st sess. (Washington, DC: GPO, 1972); Domestic Council Committee on Illegal Aliens, Preliminary Report, December 1976.
34. Indochina Refugee Adjustment, Oct. 28, 1977, P.L. 95-145; Refugee Act of March 17, 1980, P.L. 96-212, 94 Stat. 107.
35. In 1981 the "INS Efficiency Bill" further amended the Immigration and Nationality Act. This bill intended to save time and money by defining or repealing some INS procedures, and by eliminating unneeded requirements. It also worked to lessen the number of private bills handled by Congress on issues such as foreign students or alien address reports. A later amendment gave admission preference to certain Amerasian children. Immigration and Nationality Act Amendments of 1981 (INS Efficiency Bill), P.L. 97-116, 95 Stat. 1611.
36. U.S. Select Commission on Immigration and Refugee Policy, Staff Report of the Select Commission on Immigration and Refugee Policy (April 30, 1981); Immigration Reform and Control Act of Nov. 6, 1986, P.L. 99-603, 100 Stat. 3359, p. xii-xxvi.
37. Immigration Act of November 29, 1990, P.L. 100-649, 104 Stat. 4978.; Commissioner's Communique, vol. 14, no. 1 (Immigration and Naturalization Service, January 1991).

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## VI. CONTINUING QUESTIONS OF IMMIGRATION

IRCA and other reforms of the 1980's continued a historical tradition by adapting immigration law and policy to changing American circumstances. Over the years the sources of immigration shifted. The cultures, languages, and skills of the immigrants changed and became even more diverse. Each of these shifts coincided with growth and change in America itself.

During the early years of the nation a policy of open immigration proved beneficial. The United States needed workers and citizens to build the country. By the turn of the century growing American industry created a need for immigration legislation. From 1882 until about 1920, mass immigration provided needed workers while exclusions worked to protect the labor force and U.S. interests. Beginning in 1891, the Immigration Bureau took charge of regulating that immigration.

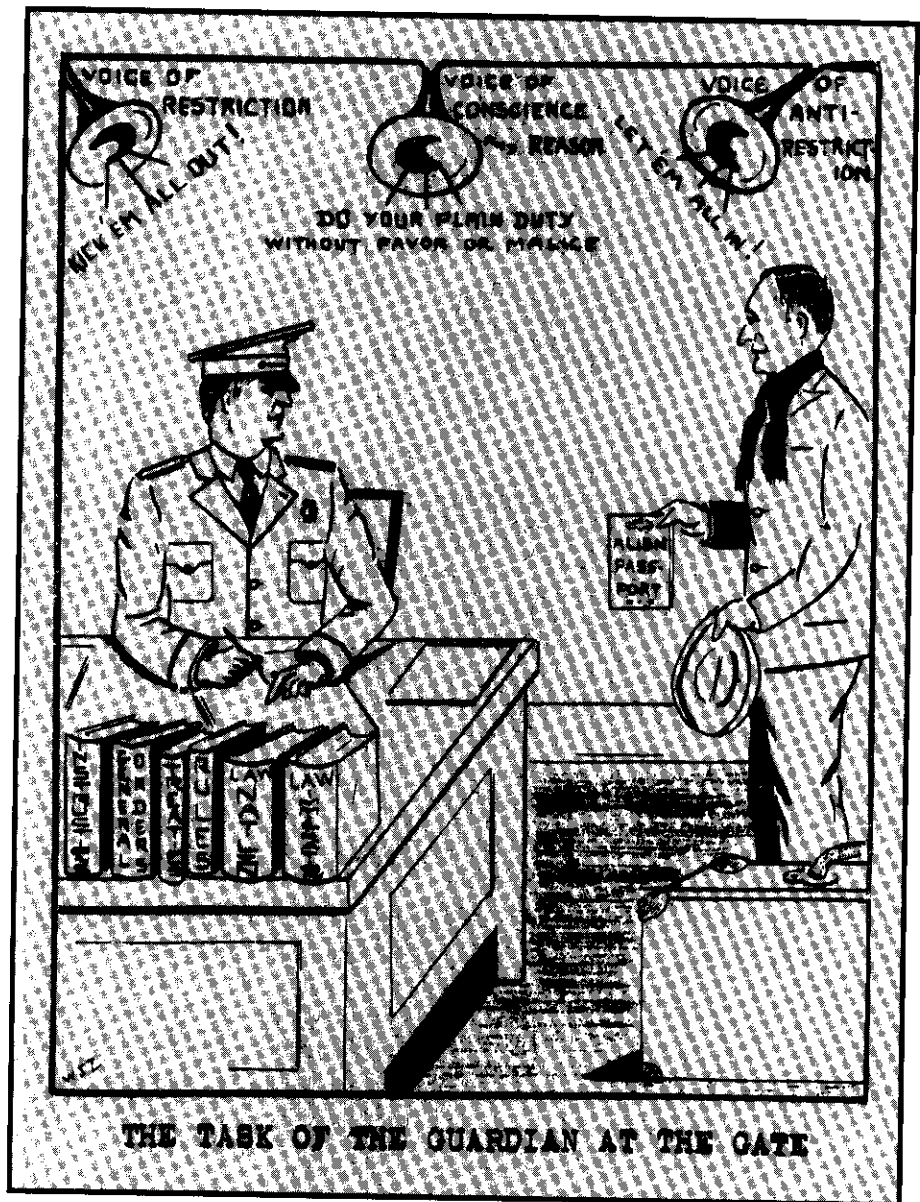
Severe restrictions on immigration and limits on the number of immigrants did not occur until the 1920's. The national origins system lasting from 1921 until the early 1950's corresponded to a time when American demand for labor declined. Two world wars in Europe also served to reduce immigration. Through the years of the "Red Scare," the Great Depression, and World War II, Congress expanded the duties of the INS. The Service devoted more time to exclusion, deportation, and registering aliens.

The United States' world position changed greatly after World War II, and American immigration policy slowly adapted to new conditions. Congress passed special legislation to admit refugees and people displaced by the war. The new 1952 I&N Act retained national origins but adjusted policy to include Cold War concerns. The INS necessarily changed and grew in size. With the wave of European refugees following the war, the INS began the processing of refugees. Refugee processing remains part of its function in the post-war era.

Social change in the United States in the 1950's and 1960's led to the 1965 Amendments, which abandoned the national origins system. Since then, immigrants have been admitted without regard to their nationality within overall numerical limits. Illegal immigration grew during these years as well, and by the early 1970's the illegal alien problem aroused national concern.

Congress continues to amend and reform I&N law and policy. In 1986 IRCA dealt with the problem of illegal immigration. The Immigration Act of 1990 revised the system of legal immigration. Future modifications of immigration law and policy can be expected because the questions of immigration change over time. Shifting sources of immigration, varying demand for labor in the United States, or the country's humanitarian values all influence the immigration debate.

Immigration issues will demand Americans' attention as long as conditions around the world tend to push immigrants from their home countries. The subject will affect all Americans as long as the United States needs skilled labor and wishes to promote family reunification and provide safe haven for refugees, policies which pull immigrants to the United States. Citizens, leaders, and legislators will debate difficult immigration questions. Some will argue for more, or more open, immigration. Some will ask for more restriction. Still others will favor regulation to make immigration more responsive to national needs. It is one of the oldest and most enduring themes in American history.



An Immigration Officer working in New York City drew this cartoon in 1941. The 'task' it depicts has not changed since 1891.



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## APPENDIX A

### *THE PREFERENCE SYSTEM*

#### I. PREFERENCE CATEGORIES SPECIFIED BY THE IMMIGRATION AND NATIONALITY ACT OF 1952\*

A. First Preference	50%	Selected immigrants of special skill or ability.
B. Second Preference	30%	Parents of United States citizens.
C. Third Preference	20%	Spouses and Children of resident aliens.
D. Fourth Preference	Quota numbers not used by first three groups, up to 25 percent.	
E. Nonpreference	Quotas not used by any preference groups.	

\* Later amended to include other preference groups.

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**APPENDIX A,**  
continued**II. PREFERENCE CATEGORIES UNDER THE IMMIGRATION AND NATIONALITY ACT AS AMENDED, 1965**

A. First Preference	20%	Unmarried adult sons and daughters of United States citizens.
B. Second Preference	20% *	Spouses and unmarried sons and daughters of aliens lawfully admitted for permanent residence.
C. Third Preference	10%	Members of the professions or persons of exceptional ability in the sciences and arts.
D. Fourth Preference	10% *	Married sons and daughters of United States citizens.
E. Fifth Preference	24% *	Brothers and sisters of United States citizens.
F. Sixth Preference	10%	Skilled and unskilled workers in short supply.
G. Seventh Preference	6%	Conditional entrants.
H. Nonpreference	**	Other qualified immigrants.

\* Plus any numbers not required by above category(s).

\*\* Number not used by previous six categories.

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**APPENDIX A,**  
continued**III. PREFERENCE CATEGORIES AFTER THE REFUGEE ACT OF 1980**

A. First Preference	20%	Unmarried adult sons or daughters of United States citizens, regardless of age.
B. Second Preference	26%	Spouses and unmarried sons or daughters, regardless of age, of permanent resident aliens.
C. Third Preference	10%	Members of the professions or aliens with exceptional ability in the sciences or arts.
D. Fourth Preference	10%	Married sons or daughters of United States citizens.
E. Fifth Preference	24%	Brothers or sisters of United States citizens (the U.S. citizen must be 21 years of age or older).
F. Sixth Preference	10%	Skilled or unskilled labor in short supply in the United States.
G. Nonpreference		

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**APPENDIX A,**  
continued**IV. CURRENT CATEGORIES UNDER THE IMMIGRATION ACT OF 1990****FAMILY SPONSORED PREFERENCES**

- |                   |   |
|-------------------|---|
| First Preference  | -Unmarried sons and daughters of US citizens, and their children  |
| Second Preference | -Spouses and children of alien residents -Unmarried sons and daughters of alien residents, 21 years of age or older |
| Third Preference  | -Married sons and daughters of US citizens, their spouses and children  |
| Fourth Preference | -Brothers and sisters of US citizens, their spouses and children  |

**EMPLOYMENT BASED PREFERENCES**

- |                   |   |
|-------------------|---|
| First Preference  | -Priority workers (aliens with extraordinary ability, outstanding professors and researchers, Multinational executives and managers) and their spouses and children |
| Second Preference | -Professionals or those with exceptional ability, their spouses and children  |
| Third Preference  | -Skilled workers, professionals and other workers, their spouses and children   |
| Fourth Preference | -Employees of the US Mission in Hong (Special Immigrants) Kong, Religious workers and their families, juvenile court dependents                                     |
| Fifth Preference  | (Employment Creation)   |

**OTHER IMMIGRANT CATEGORIES**

- Child born subsequent to issuance of a visa
- Widows or widowers of US citizens
- Diversity immigrants, their spouses and children
- Spouses and children of legalized aliens
- Employees of certain US businesses in Hong Kong, their spouses and children
- Diversity transition for natives of certain adversely affected foreign states
- Displaced Tibetans, their spouses and children

## APPENDIX B

### NONIMMIGRANTS, FOR VISA PURPOSES UNDER THE IMMIGRATION ACT OF 1924

Act of May 26, 1924 (43 Stat. 153)

1. Foreign government officials\*
2. Visitors for business or pleasure
3. Aliens in continuous transit
4. Aliens to be in later transit
5. Crewmen
6. Treaty traders\*
7. Foreign representatives to international organizations\*

\*Included the wife, children, and servants of qualifying nonimmigrants.

### NONIMMIGRANT VISA CLASSES UNDER THE IMMIGRATION AND NATIONALITY ACT OF 1952.

Act of June 27, 1952 (66 Stat. 163)

- A. Diplomats and government officials
- B. Visitors
  1. for business
  2. for pleasure
- C. Aliens in transit
- D. Crewmen
- E. Treaty traders or investors
- F. Academic students
- G. Representatives to and employees of international organizations
- H. Temporary workers
  1. aliens of distinguished merit and ability
  2. temporary services for general labor 3. trainees 4. dependents
- I. Foreign information media representatives
- J. Exchange aliens<sup>a</sup>
- K. Fiancee or fiancé<sup>b</sup>
- L. Intra-company transferees<sup>b</sup>
- M. Vocational/non-academic students<sup>c</sup>
- N. Parents of a minor child with Special Immigrant status, or minor children of a parent with Special Immigrant status<sup>d</sup>
- O. Extraordinary ability in science, arts, education, business or athletics<sup>e</sup>
- P. Internationally recognized athletes, artists, or entertainers<sup>e</sup>
- Q. Cultural exchange<sup>e</sup>
- R. Religious<sup>e</sup>

<sup>a</sup> Added by sec. 109(b) of Act of Sept. 21, 1961 (75 Stat. 534-535).

<sup>b</sup> Added by Act of April 7, 1970 (Pub. L. 91-225, 84 Stat. 116).

<sup>c</sup> Added June 1, 1982 under sec. 21(b)(1) of Pub. L. 97-116, 95 Stat. 1622).

<sup>d</sup> Added by sec. 312(b) of the Immigration Reform and Control Act of 1986 (Pub. L. 99-603, Nov. 6, 1986, 100 Stat. 3435).

<sup>e</sup> Added by Immigration Act of 1990.

## APPENDIX C

## IMMIGRATION TO THE UNITED STATES, 1820-1989

Year	Number	Year	Number	Year	Number	Year	Number
<b>1820 - 1989</b> .....	<b>55,457,531</b>	<b>1871 - 80</b> .....	<b>2,812,191</b>	<b>1921 - 30</b> .....	<b>4,107,209</b>	<b>1971 - 80</b> .....	<b>4,493,314</b>
1820 .....	8,385	1871 .....	321,350	1921 .....	805,228	1971 .....	370,478
<b>1821 - 30</b> .....	<b>143,439</b>	1872 .....	404,806	1922 .....	309,566	1972 .....	384,685
1821 .....	9,127	1873 .....	459,803	1923 .....	522,919	1973 .....	400,063
1822 .....	6,911	1874 .....	313,339	1924 .....	706,896	1974 .....	394,861
1823 .....	6,354	1875 .....	227,498	1925 .....	294,314	1975 .....	386,194
1824 .....	7,912	1876 .....	169,986	1926 .....	304,488	1976 .....	398,613
1825 .....	10,199	1877 .....	141,857	1927 .....	335,175	1976, TQ .....	103,676
1826 .....	10,837	1878 .....	138,469	1928 .....	307,255	1977 .....	462,315
1827 .....	18,875	1879 .....	177,826	1929 .....	279,678	1978 .....	601,442
1828 .....	27,382	1880 .....	457,257	1930 .....	241,700	1979 .....	460,348
1829 .....	22,520	<b>1881 - 90</b> .....	<b>5,246,613</b>	<b>1931 - 40</b> .....	<b>528,431</b>	1980 .....	530,639
1830 .....	23,322	1881 .....	669,431	1931 .....	97,139	<b>1981 - 89</b> .....	<b>5,801,579</b>
<b>1831 - 40</b> .....	<b>599,125</b>	1882 .....	788,992	1932 .....	35,576	1981 .....	596,600
1831 .....	22,633	1883 .....	603,322	1933 .....	23,068	1982 .....	594,131
1832 .....	60,482	1884 .....	518,592	1934 .....	29,470	1983 .....	559,763
1833 .....	58,640	1885 .....	395,346	1935 .....	34,956	1984 .....	543,903
1834 .....	65,365	1886 .....	334,203	1936 .....	36,329	1985 .....	570,009
1835 .....	45,374	1887 .....	490,109	1937 .....	50,244	1986 .....	601,708
1836 .....	76,242	1888 .....	546,889	1938 .....	67,895	1987 .....	601,516
1837 .....	79,340	1889 .....	444,427	1939 .....	82,998	1988 .....	643,025
1838 .....	38,914	1890 .....	455,302	1940 .....	70,756	1989 .....	1,090,924
1839 .....	68,069	<b>1891 - 1900</b> .....	<b>3,687,564</b>	<b>1941 - 50</b> .....	<b>1,035,039</b>		
1840 .....	84,066	1891 .....	560,319	1941 .....	51,776		
<b>1841 - 50</b> .....	<b>1,713,251</b>	1892 .....	579,663	1942 .....	28,781		
1841 .....	80,289	1893 .....	439,730	1943 .....	23,725		
1842 .....	104,565	1894 .....	285,631	1944 .....	28,551		
1843 .....	52,496	1895 .....	258,536	1945 .....	38,119		
1844 .....	78,615	1896 .....	343,267	1946 .....	108,721		
1845 .....	114,371	1897 .....	230,832	1947 .....	147,292		
1846 .....	154,416	1898 .....	229,299	1948 .....	170,570		
1847 .....	234,968	1899 .....	311,715	1949 .....	188,317		
1848 .....	226,527	1900 .....	448,572	1950 .....	249,187		
1849 .....	297,024	<b>1901 - 10</b> .....	<b>8,795,386</b>	<b>1951 - 60</b> .....	<b>2,515,479</b>		
1850 .....	369,980	1901 .....	487,918	1951 .....	205,717		
<b>1851 - 60</b> .....	<b>2,598,214</b>	1902 .....	648,743	1952 .....	265,520		
1851 .....	379,466	1903 .....	857,046	1953 .....	170,434		
1852 .....	371,603	1904 .....	812,870	1954 .....	208,177		
1853 .....	368,645	1905 .....	1,026,499	1955 .....	237,790		
1854 .....	427,833	1906 .....	1,100,735	1956 .....	321,625		
1855 .....	200,877	1907 .....	1,285,349	1957 .....	326,867		
1856 .....	200,436	1908 .....	782,870	1958 .....	253,265		
1857 .....	251,306	1909 .....	751,786	1959 .....	260,686		
1858 .....	123,126	1910 .....	1,041,570	1960 .....	265,398		
1859 .....	121,282	<b>1911 - 20</b> .....	<b>5,735,811</b>	<b>1961 - 70</b> .....	<b>3,321,677</b>		
1860 .....	153,640	1911 .....	878,587	1961 .....	271,344		
<b>1861 - 70</b> .....	<b>2,314,824</b>	1912 .....	838,172	1962 .....	283,763		
1861 .....	91,918	1913 .....	1,197,892	1963 .....	306,260		
1862 .....	91,985	1914 .....	1,218,480	1964 .....	292,248		
1863 .....	176,282	1915 .....	326,700	1965 .....	296,697		
1864 .....	193,418	1916 .....	298,826	1966 .....	323,040		
1865 .....	248,120	1917 .....	295,403	1967 .....	361,972		
1866 .....	318,568	1918 .....	110,618	1968 .....	454,448		
1867 .....	315,722	1919 .....	141,132	1969 .....	358,579		
1868 .....	138,840	1920 .....	430,001	1970 .....	373,326		
1869 .....	352,768						
1870 .....	387,203						

NOTE: The numbers shown are as follows: from 1820-67, figures represent alien passengers arrived at seaports; from 1868-91 and 1895-97, immigrant aliens arrived; from 1892-94 and 1898-1989, immigrant aliens admitted for permanent residence. From 1892-1903, aliens entering by cabin class were not counted as immigrants. Land arrivals were not completely enumerated until 1908. See Glossary for fiscal year definitions.

## APPENDIX D

### *CHRONOLOGICAL LIST OF COMMISSIONERS*

TERM	NAME	TITLE
1891-1892	William D. Owen	Superintendent
1892-1894	Herman Stump	Commissioner General
1894-1895	Joseph H. Senner	Commissioner General
1895-1897	Herman Stump	Commissioner General
1897-1901	Terrence V. Powderly	Commissioner General
1902-1908	Frank P. Sargent	Commissioner General
1908-1913	Daniel J. Keefe	Commissioner General
1913-1921	Anthony J. Caminetti	Commissioner of Immigration
1913-1922	Richard K. Campbell	Commissioner of Naturalization
1921-1925	William W. Husband	Commissioner of Immigration
1923-1933	Raymond F. Crist	Commissioner of Naturalization
1925-1933	Harry E. Hull	Commissioner of Immigration
1933-1934	Daniel W. MacCormack	Commissioner of Immigration
1934-1937	Daniel W. MacCormack	Commissioner of Immigration & Naturalization
1937-1940	James L. Houghteling	Commissioner of Immigration & Naturalization
1940-1942	Lemuel B. Schofield	Commissioner of Immigration & Naturalization
1942-1944	Earl G. Harrison	Commissioner of Immigration & Naturalization
1945-1947	Ugo Carusi	Commissioner of Immigration & Naturalization
1947-1950	Watson B. Miller	Commissioner of Immigration & Naturalization
1950-1954	Argyle R. Mackey	Commissioner of Immigration & Naturalization
1954-1962	Joseph M. Swing	Commissioner of Immigration & Naturalization
1962-1973	Raymond F. Farrell	Commissioner of Immigration & Naturalization
1973-1977	Leonard F. Chapman	Commissioner of Immigration & Naturalization
1977-1979	Leonel J. Castillo	Commissioner of Immigration & Naturalization
1982-1989	Alan C. Nelson	Commissioner of Immigration & Naturalization
1990-	Gene McNary	Commissioner of Immigration & Naturalization

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## APPENDIX E

### *MAJOR LEGISLATION ADMINISTERED BY THE IMMIGRATION AND NATURALIZATION SERVICE, 1891-1991*

Immigration Act of March 3, 1891	26 Stat 1084
Nationality Act of June 14, 1906	34 Stat 263
Immigration Act of February 20, 1907	34 Stat 898
Immigration Act of February 5, 1917	39 Stat 874
Immigration Act of May 19, 1921 (First Quota Act)	42 Stat 5
Immigration Act of May 26, 1924	43 Stat 153
Nationality Act of October 14, 1940	54 Stat 1137
Alien Registration Act of June 28, 1940	54 Stat 670
Repeal of Chinese Exclusion Act of December 17, 1943	57 Stat 600
War Brides Act of December 28, 1945	59 Stat 659
Displaced Persons Act of June 25, 1948	62 Stat 1009
Immigration and Nationality Act of June 6, 1952 (McCarran-Walter Act)	66 Stat 153
Refugee Relief Act of August 7, 1953	67 Stat 400
Hungarian Refugee Act of July 25, 1958	72 Stat 419
Immigration and Nationality Act Amendments of October 3, 1965	79 Stat 911
Cuban Refugee Act of November 2, 1966	80 Stat 116
Immigration and Nationality Act Amendments of October 20, 1976	90 Stat 2703
Refugee Act of March 17, 1980	94 Stat 102
Immigration Reform and Control Act of November 6, 1986	100 Stat 359
Immigration Act of November 29, 1990	104 Stat 4978



## APPENDIX F

### GLOSSARY

**ADMISSION.** The lawful entry of an alien or a citizen into the U.S. through a port of entry.

**ALIEN.** Any person not a citizen or national of the United States.

**ASYLEE (ASYLUM).** An alien physically present in the U.S. or at a port of entry may request asylum in the United States. The definition of an asylee is essentially the same as a refugee. The only difference is the location of the alien upon application; the asylee is in the United States or at a port of entry and the refugee is overseas. According to the Refugee Act of 1980, current immigration status, whether legal or illegal is not relevant to an individual's asylum claim. Asylees are eligible to adjust to lawful permanent resident status after one year of continuous presence in the United States. While these immigrants are exempt from the numerical limitations of the I&N Act, the act does stipulate how many asylees can adjust per fiscal year.

**CITIZEN (US).** A person who is born in the United States or who became a naturalized citizen of the United States.

**CONSUL/CONSULAR OFFICER.** Any consular, diplomatic, or other officer of the U.S. who issues immigrant and nonimmigrant visas according to regulations prescribed by the Immigration and Nationality Act.

**CRIME INVOLVING MORAL TURPITUDE.** An act that is basically wrong, evil, depraved, or offensive to society.

**CUBAN/HAITIAN ENTRANT.** Status accorded 1) Cubans who entered the United States between April 15, 1980, and October 20, 1980 from Mariel Harbor and 2) Haitians who entered the country illegally

before January 1, 1981. Cubans and Haitians meeting these criteria who have lived in the United States since before January 1, 1982, may adjust to permanent resident status under a provision of IRCA.

**DECLARATION OF INTENTION.** Before 1952, a form filed by a lawful permanent resident as the first step toward naturalization. After 2 years residence as an immigrant, the alien could file a declaration of intention. Now it is usually only filed to obtain a professional license.

**DEPORT/DEPORTATION.** The formal removal of an alien from the United States when the presence of that alien is deemed inconsistent with the public welfare. Deportation is ordered by an immigration judge without any punishment being imposed or contemplated.

**DUAL CITIZENSHIP or DUAL NATIONALITY.** A person who is a citizen of more than one nation or state. This is common for people born in one nation or state to parents who are citizens of another nation or state. The U.S. does not recognize dual citizenship.

**EMPLOYER SANCTIONS.** Prohibits the unlawful employment of illegal aliens and provides for penalties and fines against employers who hire, recruit, or refer aliens to employment for a fee. Employers are required to verify the eligibility of all workers they hire. Sanctions also punish employers who continue to employ unauthorized aliens. The purpose of sanctions is to remove the incentive for illegal immigration by eliminating the job pool for unauthorized workers.

**EXCLUDABLE ALIENS.** Those aliens who may be denied admission into this country on grounds specified in the Immigration and Nationality Act.

**EXCLUSION.** The formal denial of

an alien's entry into the U.S. The decision to exclude an alien is made by an Immigration Judge after an exclusion hearing.

**ILLEGAL ALIEN.** 1) A foreign national who entered the U.S., without inspection or with fraudulent documentation. 2) A foreign national who, after entering legally as a non-immigrant, violated status and remained in the U.S. without authority.

**IMMIGRANT.** An alien admitted into the United States as a lawful permanent resident. Immigrants are those persons lawfully accorded the privilege of living permanently in the United States. They may be issued immigrant visas by the Department of State overseas or adjusted to permanent status by INS in the United States.

**IMMIGRANT VISA.** A document issued by a U.S. Consul abroad. It authorizes an alien to apply for admission as an immigrant to the United States.

**INSPECTION.** The examination by an immigration officer of a person applying for admission to the United States. The officer verifies the person's identity, nationality, and whether he/she is legally entitled to enter.

**INTERN, INTERNMENT (INTERNEE).** To restrict or confine a person of enemy nationality to a limited territory, especially during wartime. Such confinement of enemy aliens is governed by the Geneva Convention.

**LABOR CERTIFICATION.** Certification by the Secretary of Labor that the entry of certain aliens for work purposes will not harm the U.S. labor market. It certifies: 1) There are not enough U.S. workers ready, willing and able to do that particular labor. 2) That the alien's employment in the U.S. will not adversely affect

the wages and working conditions of people similarly employed in the U.S. Certain applications for permanent residence require labor certification, as do certain nonimmigrant categories.

**LEGALIZED ALIEN.** Certain illegal aliens are eligible to apply for temporary resident status under the legalization provision of the Immigration Reform and Control Act of 1986. To be eligible, aliens must have been in the U.S. in an unlawful status since January 1, 1982, not be excludable, and have entered the U.S. either illegally or as temporary visitors before January 1, 1982. Legalization has two stages—temporary and then permanent residency.

**NATIONALITY.** The country of a person's citizenship. For nonimmigrants, nationality refers to the alien's claimed country of citizenship.

**NATURALIZATION.** The granting of citizenship to a noncitizen.

**NONIMMIGRANT.** An alien who seeks temporary entry to the U.S. for a specific purpose. The alien must have a permanent residence abroad and qualify for a nonimmigrant classification.

**PAROLE.** The temporary admission of an otherwise inadmissible alien under emergency (humanitarian) conditions or when that alien's entry is determined to be in the public interest. Parole is not a formal admission to the United States. It confers temporary admission status only, requiring parolees to leave when the conditions supporting their parole cease to exist.

**PERMANENT RESIDENT ALIEN.** A person entering this country with an immigrant visa, or adjusting to this status after having entered as a nonimmigrant or as a refugee or asylee. Permanent Resident status entitles an immigrant to live and work in the United States.

**PETITION (NATURALIZATION PETITION).** The form used by a lawful permanent resident to apply for U.S. citizenship. The petition is filed with a naturalization court through the Immigration and Naturalization Service. (Various other petitions are also filed for other immigrant benefits).

**PREFERENCE SYSTEM.** The six categories among which a specified number of immigrant visas are distributed each year. See Appendix A.

**PRIVATE BILL.** Special legislation introduced in Congress to benefit an individual alien.

**REFUGEE.** Any person who is outside his or her country of nationality and is unable or unwilling to return to that country because of persecution or a well founded fear of persecution. Persecution or the fear of it may be based on the alien's race, religion, nationality, membership in a particular social group, or political opinion. People with no nationality must be outside their country of last habitual residence to qualify as a refugee. See also ASYLEE.

**REPATRIATION.** To restore or return to the country of birth or citizenship.

**SPECIAL IMMIGRANTS.** Certain categories of immigrants exempt from numerical limitations on visa issuance.

**SUSPENSION OF DEPORTATION.** A discretionary benefit adjusting an alien's status from that of deportable alien to one of lawfully admitted for permanent residence. Application for suspension of deportation is made during a deportation hearing before an immigration judge. The alien must show continuous US residence for at least 7 years and that extreme hardship would result from deportation.

**TEMPORARY RESIDENT.** An alien who has been adjusted to tem-

porary resident status under the provisions of the Immigration Reform and Control Act of 1986 (IRCA). Temporary resident status is of limited duration. Temporary residents must adjust to permanent resident status.

**TEMPORARY WORKER.** Aliens temporarily admitted to the United States to perform specific work. Examples include: services of an exceptional nature; temporary labor where unemployed U.S. workers cannot be found; professional training.

**UNDOCUMENTED ALIEN.** An alien without proper documents showing legal entry into the U.S. Although an undocumented alien could be someone who accidentally misplaced their passport, this term is generally used to mean illegal alien.

**VIOLATION OF STATUS.** Violation of the conditions under which an alien was admitted to the U.S. Example: a nonimmigrant alien admitted as a student to attend school violates nonimmigrant status if he or she fails to attend school, or takes unauthorized employment.

**VOLUNTARY DEPARTURE.** Allowing an alien who is in violation of the immigration laws to depart the U.S. voluntarily rather than being formally deported. Voluntary departure also may be accorded to a person granted asylum status who is not in violation of immigration laws.

## SOURCES AND BIBLIOGRAPHY

*Annual Report of the Commissioner of Immigration and Naturalization*, 1892-1986. Washington, DC: GPO, 1892-1986 (1892-1894 the report was that of the Superintendent of Immigration).

Avery, Edwina Austin, ed., (Hyatt, Carl B., comp.), *Laws Applicable to Immigration and Nationality*, 1953 ed. Washington, DC: GPO, 1953.

Bernard, William S., ed. *Immigration Policy—a Reappraisal*. New York: Harper & Bros., 1950.

“Brief History of United States Immigration Policy.” Prepared by Joyce Vialet, Congressional Research Service, Library of Congress, #88-713 EPW; November 25, 1988. (Included in U.S. Congress. House. Committee on the Judiciary. *Immigration and Nationality Act, as Amended through January 1, 1989*. 8th Edition. Washington, DC: GPO, April 1989, pp. 413-426)

Divine, Robert A., *American Immigration Policy, 1924-1952*. New Haven: Yale University Press, 1957.

Gordon, Charles, and Stanley Mailman, *Immigration Law and Procedure*, revised edition. New York: Matthew Bender, 1989. Volume 1, Chapter 2, “The Development of the Immigration Laws”.

*History of the Immigration and Naturalization Service*. Report prepared by Library of Congress, Senate Judiciary Print, 96th Cong., 2nd Sess., Washington, DC: GPO, 1980.

Hutchinson, Edward P., *Legislative History of American Immigration Policy, 1798-1965*. Philadelphia: University of Pennsylvania Press (published for the Balch Institute for Ethnic Studies), 1981.

Morris, Milton D., *Immigration—The Beleaguered Bureaucracy*. Washington, DC: Brookings Institution, 1985.

U.S. Immigration and Naturalization Service, *Commissioner's Communique* (newsletter).

U.S. Immigration and Naturalization Service, *Development of Immigration and Naturalization Laws and Service History*. INS Form M-67, (Revised 4-1-76).

U.S. Immigration and Naturalization Service, *INS Monthly Review*, 1943-1952 (became the *I&N Reporter* in July, 1952).

U.S. Immigration and Naturalization Service, *I&N Reporter*, July, 1952 to present.

U.S. Immigration and Naturalization Service, *INS Statistical Yearbook*, 1978 to present. Prior to 1978 titled *Annual Report of the Immigration and Naturalization Service*.

*U.S. Immigration Law and Policy: 1952-1979*. Report prepared by Library of Congress, Senate Judiciary Print, 96th Cong., 1st Sess., Washington, DC: GPO, 1979.

U.S. Select Commission on Immigration and Refugee Policy, *Staff Report of the Select Commission on Immigration and Refugee Policy*, April 30, 1981.

## Additional INS Bibliography

### General

- Anderson, Henry P., *The Bracero Program in California*. New York: Arno Press, 1976.
- Brownell, Herbert Jr., Attorney General of the United States, "U.S. Department of Justice: A Brief Account of Its Organization and Activities". Typescript (March 1953), INS Historical Reference Library, Washington, D.C..
- Chiswick, Barry R., ed. *The Gateway: U.S. Immigration Issues and Policies*. Washington, DC: American Enterprise Institute for Public Policy Research, 1982.
- Corsi, Edward, *In the Shadow of Liberty; the Chronicle of Ellis Island*. New York: MacMillan, 1935.
- Glazer, Nathan, ed. *Clamor at the Gates: The New American Immigration*. San Francisco: Institute for Contemporary Studies, 1985.
- "The Immigration and Naturalization Service". Report of the Secretary of Labor's Commission on Administrative Procedure. Department of Labor, 1940.
- Legal and Illegal Immigration to the United States*. Report prepared for Select Committee on Population, House Committee Print, 95th Cong., 2nd Sess., Washington, DC: GPO, 1978.
- Migratory Labor in American Agriculture*. Report of the President's Commission on Migratory Labor, 1951.
- Papademetriou, Demetrios G., and Mark J. Miller, eds. *The Unavoidable Issue: U.S. Immigration Policy in the 1980's*. Philadelphia: Institute for the Study of Human Issues, 1983.
- Pitkin, Thomas M., *Keepers of the Gate; a History of Ellis Island*. New York: New York University Press, 1975.
- Reports of the Immigration Commission, 1907-1910* ("Dillingham Reports"). 61st Cong., 3rd Sess., S. Doc. no. 756 (42 vols.) Washington, DC: Washington, DC: GPO, 1911.
- Simcox, David E., ed. *U.S. Immigration in the 1980's: Reappraisal and Reform*. Boulder, Colo.: Westview Press (Center for Immigration Studies, Washington, DC), 1988.
- Smith, Darrell Hevenor, *The Bureau of Immigration; its History*. Baltimore: Johns Hopkins Press, 1924.
- Smith, Darrell Hevenor, *The Bureau of Naturalization; its History, Activities, and Organization*. Baltimore: Johns Hopkins Press, 1926.
- U.S. Congress. Senate. Committee on the Judiciary. "The Immigration and Naturalization Systems of the United States. Washington, U.S. Washington, DC: GPO, 1950 (81st Congress, 2d session. Senate. Report no. 1515).
- U.S. Immigration and Naturalization Service, "Administrative History of the Immigration and Naturalization Service During World War II". Prepared by the General Research Unit, August 1946. INS Historical Reference Library, Washington, DC.
- U.S. Immigration and Naturalization Service, Division of Research and Education, "Our Immigration: A Brief Account of Immigration to the United States of America", October 1947 (Typescript of pamphlet "Our Immigration", M-85 1963?) INS Historical Reference Library, Washington, DC.
- U.S. Department of Labor, *Historical Sketch of Naturalization in the United States*. Washington, DC: GPO, 1926.
- U.S. President's Commission on Immigration and Naturalization. Whom Shall We Welcome; report. Washington, DC: GPO, [1953].
- U.S. Select Commission on Immigration and Refugee Policy, First Semiannual Report submitted to the Congress and the President (March 1, 1980).
- U.S. Select Commission on Immigration and Refugee Policy, *Final Report: U.S. Immigration Policy and the National Interest*. March 1, 1981. Washington, DC: GPO, 1981.

## Border Patrol

Blakemore, Howard, *Special Detail*. Philadelphia: Dorrance and Co., 1944.

Coppock, Donald R., INS Deputy Associate Commissioner, Domestic Control. "History: Border Patrol". Typescript, n.d. (1968?), INS Historical Reference Library, Washington, D.C.

Hellyer, Clement David, *The U.S. Border Patrol*. New York: Random House, 1963.

Newsome, C.M. "Buck", *Shod with Iron: Life on the Mexican Border with the United States Border Patrol*. Marfa, TX: C.M. Newsome, 1975.

Parker, Ed, comp., *Prop Cops; The First Quarter Century Aloft*, (Border Patrol Pilots), n.p., 1983.

Perkins, Clifford Alan, *Border Patrol: With the U.S. Immigration Service on the Mexican Boundary 1910-54*. El Paso: Texas Western Press, 1978.

U.S. Immigration and Naturalization Service, *The Immigration Border Patrol: Its Origin, Activities, Accomplishments, Organization, and Personnel*. Washington, DC: GPO, revised 1952.

## Periodicals

American Immigration Lawyers' Association, *Immigration Journal*.

American Immigration Lawyers' Association, *Monthly Mailing*.

Matthew Bender, *Immigration Law and Procedure Reporter*.

Center for Migration Studies, *In Defense of the Alien*. Annual, 1978- .

American Council for Nationalities Service, *Interpreter Releases*.

National Immigration, Refugee, and Citizenship Forum, *IRCA Clearinghouse Advisor* (Sept. 1987-August, 1989).

U.S. Department of State, Bureau of Consular Affairs, *Visa Bulletin*.